

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

POLYPEPTIDES HAVING A FUNCTIONAL DOMAIN OF INTEREST AND METHODS OF IDENTIFYING AND USING SAME

☐ the specification of which is attached hereto unless one of the following boxes is checked:

☒ the specification of which was filed in the United States on April 3, 1996 as Application Serial No. 08/630,915 *(for declaration not accompanying application)* with amendment(s) filed on _____ *(if applicable)*

☐ the specification was filed as PCT international application Serial No. _____ on _____ and was amended under PCT Article 19 on _____ *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

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APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
08/417,872	April 7, 1995		X	

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30,605), Steven I. Wallach (Reg. No. 35,402), and Marcia H. Sundeen (Reg. No. 30893), all of Pennie & Edmonds, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711				DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS DOCKETING (212) 790-2803	
201	FULL NAME OF INVENTOR	LAST NAME Sparks	FIRST NAME Andrew	MIDDLE NAME B.	
	RESIDENCE & CITIZENSHIP	CITY Pikesville	STATE OR FOREIGN COUNTRY Maryland	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 24 Breton Hill Road, Apt. 1A	CITY Pikesville	STATE OR COUNTRY Maryland	ZIP CODE 21208
202	FULL NAME OF INVENTOR	LAST NAME Hoffman	FIRST NAME Noah	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Greensboro	STATE OR FOREIGN COUNTRY North Carolina	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 5001 Manning Drive	CITY Greensboro	STATE OR COUNTRY North Carolina	ZIP CODE 27410
203	FULL NAME OF INVENTOR	LAST NAME Kay	FIRST NAME Brian	MIDDLE NAME K.	
	RESIDENCE & CITIZENSHIP	CITY Chapel Hill	STATE OR FOREIGN COUNTRY North Carolina	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 18 Wysteria Way	CITY Chapel Hill	STATE OR COUNTRY North Carolina	ZIP CODE 27514
204	FULL NAME OF INVENTOR	LAST NAME Fowlkes	FIRST NAME Dana	MIDDLE NAME M.	
	RESIDENCE & CITIZENSHIP	CITY Chapel Hill	STATE OR FOREIGN COUNTRY North Carolina	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 2013 Damascus Church Drive	CITY Chapel Hill	STATE OR COUNTRY North Carolina	ZIP CODE 27516
205	FULL NAME OF INVENTOR	LAST NAME McConnell	FIRST NAME Stephen	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 10211 Camino Ruiz #52	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92126
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 ANDREW B. SPARKS	SIGNATURE OF INVENTOR 202 NOAH HOFFMAN	SIGNATURE OF INVENTOR 203 BRIAN K. KAY
DATE 8/27/96	DATE	DATE
SIGNATURE OF INVENTOR 204 DANA M. FOWLKES	SIGNATURE OF INVENTOR 205 STEPHEN J. McCONNELL	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

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	POST OFFICE ADDRESS	STREET 243 RYON HILL RD 201 Blue Ridge Road APT 1A	CITY Carrboro PICESVILLE	STATE OR COUNTRY North Carolina MD	ZIP CODE 27510 27508
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DATE 7/26	DATE 7/24/96	DATE 7/19/96
SIGNATURE OF INVENTOR 204 DANA M. FOWLKES	SIGNATURE OF INVENTOR 205 STEPHEN J. McCONNELL	SIGNATURE OF INVENTOR 206
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DATE	DATE	DATE
SIGNATURE OF INVENTOR 204 DANA M. FOWLKES <i>Dana Fowlkes</i>	SIGNATURE OF INVENTOR 205 STEPHEN J. MCCONNELL	SIGNATURE OF INVENTOR 206
DATE <i>June 24, 1996</i>	DATE	DATE

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	POST OFFICE ADDRESS	STREET 2013 Damascus Church Drive	CITY Chapel Hill	STATE OR COUNTRY North Carolina	ZIP CODE 27516
205	FULL NAME OF INVENTOR	LAST NAME McConnell	FIRST NAME Stephen	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 10211 Camino Ruiz #52	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92126
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 ANDREW B. SPARKS	SIGNATURE OF INVENTOR 202 NOAH HOFFMAN	SIGNATURE OF INVENTOR 203 BRIAN K. KAY
DATE	DATE	DATE
SIGNATURE OF INVENTOR 204 DANA M. FOWLKES	SIGNATURE OF INVENTOR 205 STEPHEN J. MCCONNELL	SIGNATURE OF INVENTOR 206
DATE	DATE 7/8/96	DATE

ASSIGNMENT

WHEREAS, WE, ANDREW B. SPARKS, NOAH HOFFMAN, and BRIAN K. KAY, ASSIGNORS, citizens of the United States, residing at 201 Blue Ridge Road, Carrboro, North Carolina, 27510; 5001 Manning Drive, Greensboro, North Carolina 27410; and 18 Wysteria Way, Chapel Hill, North Carolina 27514; respectively, are co-inventors with Dana M. Fowlkes and Stephen J. McConnell of the invention in POLYPEPTIDES HAVING A FUNCTIONAL DOMAIN OF INTEREST AND METHODS OF IDENTIFYING AND USING SAME for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____ (date)

☒ which is identified by Pennie & Edmonds docket no. 1101-174

☒ which was filed on April 3, 1996, Serial No. 08/630,915

and WHEREAS, THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, having an address at Office of Technology and Development, CB#4100, 302 Bynum Hall, Chapel Hill, North Carolina 27599-4100, U.S.A., hereinafter ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey our entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 7/26/96, 1996 [Signature] L.S.

ANDREW B. SPARKS

Date 7/24/96, 1996 [Signature] L.S.

NOAH HOFFMAN

Date 7/19, 1996 [Signature] L.S.

BRIAN K. KAY

State of Maryland)
City Baltimore) SS.:
County of Baltimore)

On this 26th day of July, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared ANDREW B. SPARKS, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

[Signature]
My Commission Expires 9/1/97

Notary Public.

State of North Carolina)
County of DURHAM } SS.:

On this 24th day of July, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared NOAH HOFFMAN to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Doris B. Perry
My Commission Expires : 3/13/2000 Notary Public.

State of North Carolina)
County of Durham } SS.:

On this 19th day of July, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared BRIAN K. KAY to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Doris B. Perry
My Commission Expires : 3/13/2000 Notary Public.

ASSIGNMENT

WHEREAS, WE, DANA M. FOWLKES and STEPHEN J. McCONNELL, ASSIGNORS, citizens of the United States, residing at 2013 Damascus Church Drive, Chapel Hill, North Carolina 27516 and 10211 Camino Ruiz #52, San Diego, California 92126 respectively, are co-inventors with Andrew B. Sparks, Noah Hoffman, and Brian K. Kay of the invention in POLYPEPTIDES HAVING A FUNCTIONAL DOMAIN OF INTEREST AND METHODS OF IDENTIFYING AND USING SAME for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____ (date)

☒ which is identified by Pennie & Edmonds docket no. 1101-174

☒ which was filed on April 3, 1996, Serial No. 08/630,915

and WHEREAS, CYTOGEN CORPORATION, having an address at 600 College Road East, Princeton, New Jersey 08540, U.S.A., hereinafter ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey our entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures

Date Sept. 12, 1996 Dana M. Fowlkes L.S.

DANA M. FOWLKES

Date Sept 12, 1996

Witnessed by

Date Sept 12, 1996

Witnessed by

Date _____, 1996 _____ L.S.

STEPHEN J. McCONNELL

State of _____)
County of _____) SS.:

On this _____ day of _____, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared STEPHEN J. McCONNELL, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

ASSIGNMENT

WHEREAS, WE, DANA M. FOWLKES and STEPHEN J. McCONNELL, ASSIGNORS, citizens of the United States, residing at 2013 Damascus Church Drive, Chapel Hill, North Carolina 27516 and 10211 Camino Ruiz #52, San Diego, California 92126 respectively, are co-inventors with Andrew B. Sparks, Noah Hoffman, and Brian K. Kay of the invention in POLYPEPTIDES HAVING A FUNCTIONAL DOMAIN OF INTEREST AND METHODS OF IDENTIFYING AND USING SAME for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____ (date)

☒ which is identified by Pennie & Edmonds docket no. 1101-174

☒ which was filed on April 3, 1996, Serial No. 08/630,915

and WHEREAS, CYTOGEN CORPORATION, having an address at 600 College Road East, Princeton, New Jersey 08540, U.S.A., hereinafter ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey our entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date _____, 1996 _____ L.S.

DANA M. FOWLKES

Date 7/8, 1996 _____ L.S.

STEPHEN J. McCONNELL

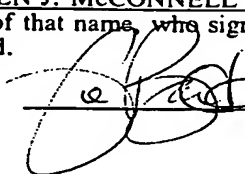
State of _____)
County of _____) SS.:

On this _____ day of _____, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared DANA M. FOWLKES, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

State of California,
County of San Diego, SS.:

On this 8th day of July, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared STEPHEN J. McCONNELL to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Notary Public.

